



California Regional Water Quality Control Board

San Diego Region



Terry Tamminen
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

CERTIFIED – RETURN RECEIPT REQUESTED
7004 2510 0004 5830 7677

December 13, 2004

Mr. and Mrs. Ernest Moretti
P.O. Box 2078
Borrego Springs, CA 92004

In Reply Refer to:
TSMC:50-3537.05:peass

Dear Mr. and Mrs. Moretti:

RE: ADDENDUM NO. 7 TO CLEANUP AND ABATEMENT ORDER NO. 99-26

The San Diego California Regional Water Quality Control Board (Regional Board) issued Cleanup and Abatement Order (CAO) No. 99-26 to you on September 15, 1999, for the Former Santa Ysabel Chevron Station, located at 30352 Highway 78, in Santa Ysabel, California. Enclosed is a copy of Addendum No. 7 to CAO No. 99-26 (Addendum No. 7). Addendum No. 7 directs you to implement interim remedial action by April 4, 2005; include progress of remedial action in your quarterly progress reports; increase sampling frequency in monitoring well MW22 and production wells Q3, B6, and B7 to quarterly; sample production well MW14; and include Site Conceptual Model updates and water quality graphs and statistical evaluation in quarterly progress reports.

Addendum No. 7 is issued pursuant to California Water Code (Water Code) sections 13267 and 13304. Note the requirements and deadlines contained in Addendum No. 7. Pursuant to Water Code section 13350, failure to comply with Addendum No. 7 may subject you to further enforcement action by the Regional Board, including administrative or judicial proceedings for the assessment of civil liability in amounts of up to \$5,000 per day per violation, referral to the State Attorney General for injunctive relief, and referral to the District Attorney for criminal prosecution.

You may contest the issuance of Addendum No. 7 by requesting a public hearing on the matter before the Regional Board. In order to schedule a hearing, this office must receive a written request no later than 5 p.m. on January 19, 2005. The next scheduled meeting of the Regional Board at which this item can be heard is February 9, 2005. Be aware that a request for a hearing does not stay any of the deadlines in Addendum No. 7.

I strongly urge a prompt and complete response to each directive of Addendum No. 7. My staff will be happy to work with you in your efforts toward achieving compliance with the directives.

California Environmental Protection Agency

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Mr. Moretti
Addendum No. 7 to CAO No. 99-26

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December 13, 2004

If you have any questions regarding this letter, or Addendum No. 7, please contact Ms. Sue Pease of my staff at (858) 637-5596, or by email at spease@waterboards.ca.gov.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Respectfully,



John H. Robertus
Executive Officer

Enclosure

JHR:jro:sjp

c:\moretti.addendum7.coverletter.doc

cc: (with enclosure)

Mr. Kenneth Vernon, R.G., Donan Environmental Services, Inc. P.O. Box 1839,
Vista, CA 92085-1839

Mr. Anderson Donan, Donan Environmental Services, Inc. P.O. Box 1839,
Vista, CA 92085-1839

Ms. Diana Conkle, Engineering Geologist, Underground Storage Tank Cleanup Fund,
P.O. Box 944212, Sacramento, CA 94244-2120

California Environmental Protection Agency

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ADDENDUM NO. 7 TO
CLEANUP AND ABATEMENT ORDER NO. 99-26**

**FORMER SANTA YSABEL CHEVRON SERVICE STATION
30350 HIGHWAY 78, SANTA YSABEL
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (hereinafter, Regional Board) finds that:


27. The Vapor Extraction System (VES) was installed in December 2002, and became operational in February 2003 to comply with Directive 1, Interim Remedial Action, of Cleanup and Abatement Order (CAO) No. 99-26. The goals and objectives as stated in the Interim Remedial Action Plan (IRAP) is to continue operation of the VES until petroleum concentrations in the residuum soil are verified as below the site-specific cleanup levels.
28. During January 2004, Mr. and Mrs. Ernest and Joyce Moretti (hereinafter the "Discharger") ceased operations, disconnected, and dismantled the vapor extraction system (VES) without notifying the Regional Board.
29. Methyl Tertiary Butyl Ether (MTBE) has been detected in an upgradient ground water monitoring well, MW22, during the 2nd and 3rd Quarters of 2004.
30. The groundwater pollution, created by the MTBE release, is migrating near production wells Q3, B6 and B7.
31. Updates to Site Conceptual Model are currently being submitted as separate reports.
32. Water Quality and Statistical Data reports have previously been submitted to the Regional Board as separate reports. Directive 10 of CAO No. 99-26 requires this information to be included as part of the regular Quarterly Reports.

IT IS HEREBY ORDERED, that pursuant to sections 13267 and 13304 of the California Water Code, the discharger shall provide technical reports and cleanup and abate the effects of the unauthorized discharge of petroleum hydrocarbon wastes at the Former Santa Ysabel Chevron Station site by complying with the following:

77. Implement Interim Remedial Action by April 4, 2005, per Directive 1 of CAO No. 99-26. The discharger shall provide the Regional Board with a 72-hour notice prior to start-up of the interim remedial action system. The discharger shall notify the Regional Board Executive Officer in writing of any changes in remedial action, and shall not discontinue remedial action until instructed to do so by the Regional Board Executive Officer. The

progress of remedial action shall be included in a subsection/appendix in each quarterly progress report, per Directives 10, 57, and 58 of CAO No. 99-26.

78. The sampling frequency for monitoring well M22, and productions wells Q3, B6 and B7 is changed from yearly to quarterly beginning with 1st Quarter 2005.
79. Well B14, the Santa Ysabel Trailer Park well must be sampled pursuant to Directives 9, 14, 15 and 19 of CAO 99-26. This information must be provided in the 1st Quarter 2005 Quarterly Progress Report, due **April 30, 2005**.
80. The Preliminary Site Conceptual Model (SCM) shall be updated in each quarterly progress report as a subsection/appendix in that report. If an update to the SCM is not warranted based upon examination of additional data collected during the quarterly monitoring and reporting period, then the cover letter to the report shall specifically state that no update to the SCM is required at this time.
81. Graphs of water quality data (in a clear and concise format that is acceptable to the Regional Board) and an appropriate statistical evaluation of such data shall be included in each quarterly progress report, per Directive 10 of CAO No. 99-26.


JOHN. H. ROBERTUS
Executive Officer

Date issued: December 13, 2004